

# Notice of Allowability

Application No.

09/925,816

Applicant(s)

WANG ET AL.

Examiner

Devesh Khare

Art Unit

1623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included  
rewritten (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS  
NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative  
of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

☒ This communication is responsive to 6/28/2004.

☒ The allowed claim(s) is/are 1-20.

☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.

☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some\* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the  
International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements  
noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF  
INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of  
each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the  
attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

☐ Notice of References Cited (PTO-892)

☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_

☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 10/12/2004.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_

JAMES O. WILSON

SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: (1) In claims 1, 15 and 16, the phrase "can comprise" is replaced by the phrase "comprises".

(2) In claims 1, 15 and 16, the box enclosing the general structure has been deleted.

(3) In claim 3, the phrase "is a carbonyl containing group" is replaced by the phrase "includes a carbonyl group".

(4) In claim 12, line 2 the term "a" is replaced by the term " $\alpha$ ".

(5) In claim 13, line 2 the term "P" is replaced by the term " $\beta$ ".

(6) In claims 15 and 16, line 4, the phrase "disposed" has been deleted..

Art Unit: 1623

Applicant's amendments and remarks filed on 06/28/04 in response to the Office Action dated 04/06/04 are acknowledged. Claims 1-13, 15 and 16 have been amended. Claims 21-33 have been cancelled.

The rejection of claims 1-20, under 35 U.S.C., 112, second paragraph, has been overcome through applicants' amendments.

The examiner withdraws the 35 U.S.C. 103(a) rejections, as being unpatentable over Keefer et al. in view of LaClair in response to applicant's remarks that the teachings in Keefer et al. and LaClair are absent any suggestion or motivation of linking a SIN-1 moiety with a carbohydrate.

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by Lawrence Almeda on 10/12/04.

(1) In claims 1, 15 and 16, the phrase "can comprise" is replaced by the phrase "comprises".

(2) In claims 1, 15 and 16, the box enclosing the general structure has been deleted.

(3) In claim 3, the phrase "is a carbonyl containing group" is replaced by the phrase "includes a carbonyl group".

(4) In claim 12, line 2 the term "a" is replaced by the term " $\alpha$ ".

(5) In claim 13, line 2 the term "P" is replaced by the term " $\beta$ ".

(6) In claims 15 and 16, line 4, the phrase "disposed" has been deleted.

Art Unit: 1623

Claims 1-20 are currently pending in this application.

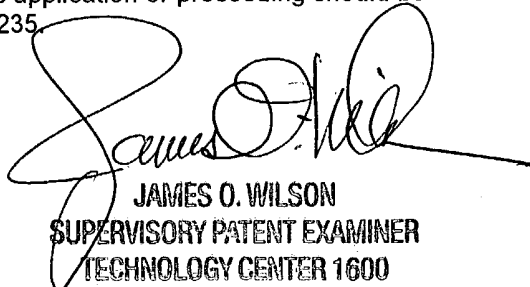
Claims 1-20 are allowed.

2. The following is an examiner's statement of reasons for allowance: Claims 1-20 are drawn to a sugar-modified linsidomine (SIN-1) compound wherein the SIN-1 moiety is attached via a glycosidic bond or a bifunctional linker group to a sugar moiety and pharmaceutical compositions containing same are not taught or fairly suggested by the prior art of the record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1235.

Devesh Khare, Ph.D., J.D.  
Art Unit 1623  
November 5, 2004



JAMES O. WILSON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600